

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

6CORE INVESTMENTS, LLC,

Plaintiff,

vs.

BOUARI INTERNATIONAL FRANCHISE, LLC,

Defendant.

Case No. 2:13-cv-02202-APG-NJK

REPORT AND RECOMMENDATION

This matter was referred to the Court by Local Rule IB 1-4 and 28 U.S.C. § 636(b)(1)(B). On May 29, 2014, the Court granted the Motion to Withdraw as Attorney in Charge, Docket No. 27, filed by counsel of record for Plaintiff 6Core Investments, LLC. Docket No. 29. The Court ordered Plaintiff to retain new counsel, and for such counsel to file a notice of appearance, no later than June 30, 2014. *Id.*, at 1. The Court further instructed Plaintiff that, “[f]ailure to comply with this Order may result in a recommendation to the District Judge for sanctions, including case-dispositive sanctions.” *Id.*

The docket in this case reflects that a notice of appearance of counsel has not been filed with respect to Plaintiff. As the Court stated in its Order of May 29, 2014, a corporation cannot appear except through counsel. *Rowland v. California Men’s Colony*, 506 U.S. 194, 201-02 (1993); *U.S. v. High Country Broad. Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). Accordingly, the Court recommends that this case be dismissed.

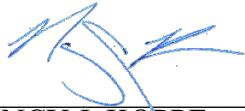
RECOMMENDATION

Based on the foregoing reasons, **IT IS THE RECOMMENDATION** of the undersigned United States Magistrate Judge that this case be **DISMISSED** without prejudice.

NOTICE

Pursuant to Local Rule IB 3-2, any objection to this Report and Recommendation must be in writing and filed with the Clerk of the Court within fourteen (14) days. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

DATED: July 28, 2014.



NANCY J. KOPPE
United States Magistrate Judge